

MARKETS

NEW YORK CITY
Copper, steady.
Electrolytic, 20.
Silver, 56 3/8.

The Bisbee Daily Review

WEATHER

Southern California
and Arizona—Fair.

MEMBER ASSOCIATED PRESS

VOL. 18, NO. 160

BISBEE, ARIZONA, THURSDAY, DECEMBER 2, 1915

PRICE FIVE CENTS

FALTIN-SIMS FIASCO NOW CHANGED TO PHOENIX

Warden of Penitentiary Will Appear Before Supreme Court This Morning to Answer Contempt Proceedings

FALTIN IN PHOENIX FOR RESENTENCING

Sims Refuses to Talk About His Defense; Faltin Will Be Resentenced in Superior Court Friday Morning.

PHOENIX, Dec. 1.—William Faltin, murderer of Carl Peterson, is a "guest" at the county jail here tonight, awaiting resentencing on Friday in the superior court, while Warden Robert B. Sims, of the state prison, is a guest at the Ford hotel, awaiting his appearance before the supreme court tomorrow morning, where he has been summoned to show cause why he should not be declared in contempt of that tribunal in failing to execute Faltin at the state prison last Friday. Faltin was brought over from Florence in an automobile arriving here at 9 o'clock tonight. Sims has been in town all day but has refused to discuss his case.

That in delaying notifying County Attorney Richardson of Pinal county, of the alleged insanity of Faltin, Sims employed a subterfuge to effect an order delay in the execution of a man who had been sentenced by the supreme court on appeal, will be the contention of Attorney General Wiley E. Jones, before the supreme court in the morning. If Sims had meant to show entire good faith in the Faltin matter, in the opinion of Jones, he would have notified the court at Florence of the supposed insanity of the prisoner until the day set for his hanging.

This is the stand taken by those who hold with the attorney general, that the act of the prison head was a flagrant case of contempt of the supreme court. He had had plenty of opportunities to learn the attitude of the attorney general, both as attorney general and as a member of the board of pardons and paroles. In the Kerue case, similar delays in shifting the responsibility on an insanity jury, had been effected by the warden, and telephone conversations and letters had passed between Jones and Sims on the matter.

The principle involved in the Sims-Faltin case is now broader than any mere fuss between state officials, it is said. Really, what transpires will be a fight in a legal ring, to determine whether or not Governor Hunt, through the warden, means to retain his grip on the power of pardons and reprieves, taken from the chief executive by popular vote last year, and vested in the board of pardons and paroles.

This attitude is general in Phoenix and Maricopa county, whose citizens are interested in this particular case because the crime was committed in this city.

T. E. O'Connor, former judge of Pinal county and George J. Stoneham, of Phoenix will represent the warden in tomorrow's hearing. No intimation of a plan of defense has been given, but Sims' utterances of last Friday, when the subject was red hot, is the most probable basis of a defense. Holding that information coming to him through proper channels, of the insanity of a condemned man, and by him transmitted to the county court, constitutes an adequate excuse for halting an execution, the prison head will vigorously oppose punitive measures by the court.

What the court may have to say in interpreting Section 1141 of the penal code, will henceforth be law and will probably be made so clear by the supreme court that in the future he cannot unintentionally be guilty of contempt.

ALLEGED BLACK HAND HELD
LOS ANGELES, Dec. 1.—Calogero Pinocchi, the alleged black hand leader, was charged by a coroner's jury with the murder of Detective Sergeant Browning, Monday night. Lolo McDonald, in front of whose house the policeman was shot, was arraigned on a charge of having dynamite in her possession with intent to injure a human being.

BARON SHIBUSAWA, JAPAN'S GREATEST BUSINESS MAN, ON WAY TO AMERICA



Baron Shibusawa of Japan.

Baron Shibusawa, who is now on his way to the United States, is the recognized leader of Japan's business world. Primarily a banker, he has assisted in many ways in the development of Japan's commerce. He is a warm friend of the United States.

FIRST DRAFT OF NEW SHIP BILL IS MADE

Secretaries Redfield and McAdoo Confer and Agree Upon the Form the Ship Bill Shall Take in Coming Congress.

WASHINGTON, Dec. 1.—The creation of a federal board with jurisdiction over deep water traffic, similar to that over railroads by the Interstate Commerce Commission, and a congressional appropriation of fifty millions for the construction of merchant ships designed for use as naval auxiliaries is proposed in the new shipping bill drafted after a conference between Secretaries McAdoo and Redfield, submitted to Representative Alexander, chairman of the House Marine committee.

From this draft the administration shipping bill will be developed as a substitute of the one which failed of passage in the last congress. The old bill contemplated a shipping board with powers limited to the control of vessel-owning corporations. A new one provides for the idea of government ownership of stock only in the event private subscriptions are lacking. With the fifty million it is proposed the government will have built in American shipyards, if possible, vessels having an aggregate tonnage of four or five hundred thousand to be leased or sold to corporations, the entire stock of which will be offered for popular subscription. The contracts would contain a provision for making the vessels available for naval use in time of an emergency.

MEXICO RAILROADS IMPROVE

LAREDO, Dec. 1.—A Carranza decree, issued, abolishes the military supervision of railroads in Mexico. Action through proper channels, of the insanity of a condemned man, and by him transmitted to the county court, constitutes an adequate excuse for halting an execution, the prison head will vigorously oppose punitive measures by the court.

What the court may have to say in interpreting Section 1141 of the penal code, will henceforth be law and will probably be made so clear by the supreme court that in the future he cannot unintentionally be guilty of contempt.

DECLARES MARTIAL LAW
NEW ORLEANS, Dec. 1.—Governor Hall declared martial law charging that a "reign of lawlessness" exists in Jefferson Parish, adjoining New Orleans. More trouble resulted following lottery raids. A company of militia is on the scene.

INTERNATIONAL RELATIONS DEBATED

Earl Portsmouth Would Sweep Away Some Niceties of Law in Effort for Ultimate Good of England and Her Allies.

LONDON, Dec. 1.—With a view to eliciting the exact position of England regarding the Declaration of London and denying or confirming the reports that Lord Reading has arranged with the United States for reference of claims to the international tribunal, Earl of Portsmouth, speaking in the House of Lords, asked:

"If the Declaration of London is not in force, why could not we fall back on the old sea laws of our ancestors which gave them victory? The country wants to get rid of this rubbish—of the Declaration of London and Hague Convention. We want to sweep away judicial niceties and win the war by placing British interests and interests of our allies first and supreme."

Viscount Bryce said England agreed with the United States to submit questions such as those raised to arbitration; therefore it was superfluous to inquire whether assurances of this nature had been given. He contended England couldn't ignore the neutrals.

Lord Bryce said the country might easily lose more than it could possibly gain by pressing international rights to the furthest point, which might involve the greatest injury to neutral countries, adding that the fabric of international law had been shattered and the great task of the future would be to rebuild the shattered fabric.

He said it would be unfortunate if England should go beyond what has been considered settled international law to make her own will and her own necessities the judge of her actions.

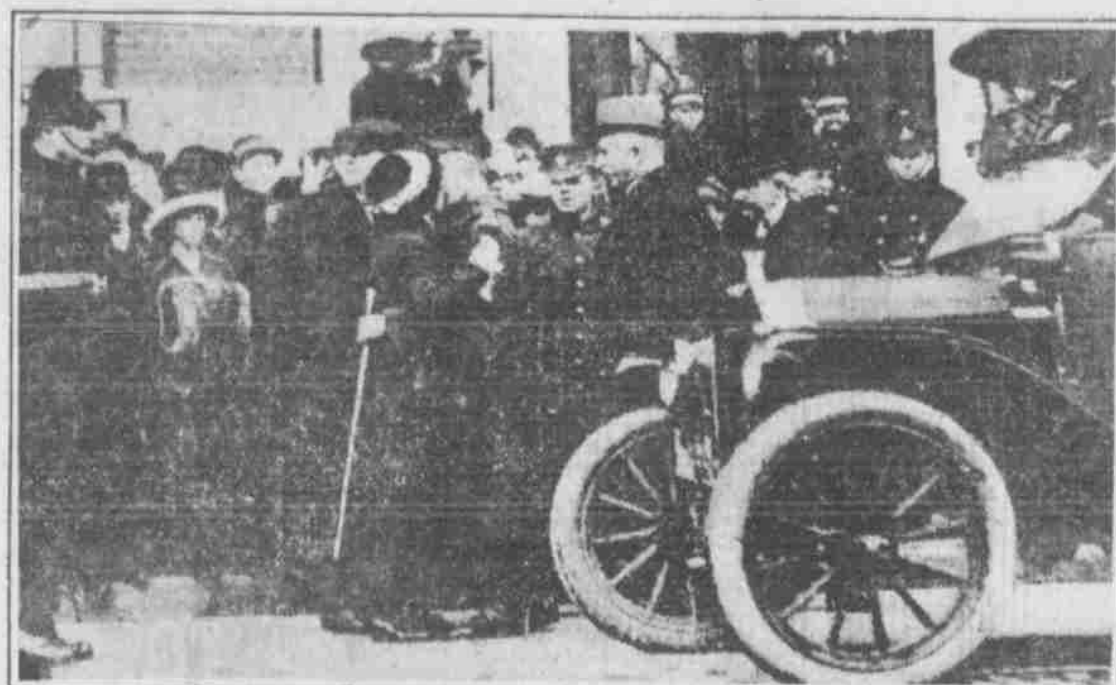
"We come forward as champions of international rights and defenders of international law," Bryce said, "and it would be unfortunate to depart from this position."

Marquis Crewe said the paramount object was not that goods be confiscated but that the enemy be prevented from reaching the enemy. He said it was a hopeless task to attempt to prepare the list of articles of contraband, conditional contraband, or articles which, under other circumstances, might become conditional contraband.

PARTIROADS WIN

SAN FRANCISCO, Dec. 1.—Sixteen suits for the disposition of the Southern Pacific and allied interests of a part of the water front lands at Sacramento, occupied by switching tracks and sheds, were ordered dismissed by Judge Van Fleet in the United States District Court. The court held the recourse if any, was through suits for damages.

JOY IN MONTREAL WHEN WOUNDED SOLDIERS RETURN HOME



This picture, taken in Montreal, Canada, a few days ago, shows wounded Canadian soldiers returning from the European war. Thousands of Canadians have thus returned from Europe, while other thousands lie buried in northern France.

KAISER'S VISIT TO VIENNA IS MYSTERY

Much Speculation Ensues as Result of Trip to Austrian Capital By Emperor; Teutons' Serbian Campaign Said to Be Ended.

LONDON, Dec. 1.—Emperor William's visit to Vienna, which coincided with the resignation of three Austrian ministers, is causing speculation. The events are variously assumed to be connected with the reported effort of Germany to force Austria into a trade or customs alliance, and the desire of the Austrian emperor to secure a separate peace through the intervention of Pope Benedict and the rumored dispute between Austria and Bulgaria over the division of Serbian territory.

Like Germany, Bulgaria announces that with the capture of Prizedel her campaign against Serbia ended. This seems to support the suggestion that to avoid a dispute with Greece, Bulgaria has decided against the occupation of Monastir, which the Serbians held until Monday night. There has been no official news of any change since.

Austria, with the assistance of the Germans, is continuing operations in the Montenegro. They crossed the frontier where they will meet considerable opposition from the Montenegrins, who are masters of mountain warfare and who have been reinforced by Serbians who escaped from the invaders of their country. A battle is being fought in that part of Sanjak of Moritz, which the Montenegrins took after the Balkan wars.

The Teutons are advancing south from Sienica, across the frontiers from Brupolje. The Montenegrins claim to have defeated the Austrians in the region of Fotecha, Bosnia. It is believed the Teutons, provided with sufficient forces, will make sure of a successful campaign as they did in Serbia. Snow prevents movements in Southeastern Serbia. No news was received of the Teutons who proceeded to Rutchuck on the Danube to co-operate with the Bulgarians and Turks to oppose the possible Russian invasion through Rumania. The attitude of Rumania remains uncertain. The latest reports say she is trying to remain neutral, but this may prove difficult with two belligerent armies on her borders.

Greece, in her latest reply to the entente note, insists upon the maintenance of her neutrality and independence. The final settlement of the issue is not in sight. An Athens dispatch says Greece has objected to the evacuation of Saloniki and the handing over of the railways to the entente, and policing, by the entente navies, of her coastal waters to convenient German submarine activities. The Italians continue their offensive along the Isonzo River. A calm prevails on other fronts.

REPORTS CREW SAVED

LONDON, Dec. 1.—A dispatch from Malta says: "Two lifeboats containing the full crew of the British steamer Malinche reached the harbor. Shipping records don't contain name of the steamer Malinche. However, there is a British steamer Malinche, which sailed from Syra, Greece, Nov. 27, for New York."

EX-DIRECTORS OF NEW HAVEN NOT GUILTY

Court Rules That Government Showed no Criminal Intent to Violate Law; Opportunity Is Given to Offer Proof.

NEW YORK, Dec. 1.—William Rockefeller and his ten co-defendants, former directors of the New Haven, were declared innocent on the government charge against them. This was the altered unlawful acquisition of the New York, Westchester and Boston Railway, a line with a New York charter, which the government charged the New Haven bought to prevent its extension into New England as a competitor.

The court ruled the government had failed to show the defendants had a criminal intent in acquiring the road. The government was granted an opportunity to submit further evidence in support of its contention, but the court indicated it must be of the strongest character to upset the ruling.

The ruling followed two days of arguments by counsel and testimony by Charles Mellon regarding whether the road was projected and acquired for the purpose of carrying on interstate commerce. The court held that while the original project might have intended to do so, there was nothing to show the New Haven had such a purpose in mind in acquiring the road.

With this subject eliminated, the end of the government case, which has been in progress eight weeks, came in sight.

The government began the presentation of evidence on the last phase of the case, which was more important. This relates to the alleged agreement in 1912 between the New Haven and the Grand Trunk of Canada whereby, it is charged, the Grand Trunk abandoned the construction of a projected line which would have connected its subsidiary, the Central Vermont, with Providence, Rhode Island.

This constitutes the principal unlawful act charged against the defendants within the period of the statute of limitations. The whole case virtually hinges on the proof of this charge. William Rockefeller is a brother of John D. Rockefeller, and one of the richest men in America. More so than his brother, he has been a large factor in the railway world, having been at various times officer or director of some of the most important railroads of the country. Although he recently severed his connection with the New Haven, he is still listed as a director of the New York Central, the Chicago, Milwaukee and St. Paul, and the Delaware, Lackawanna and Western. Mr. Rockefeller is now 74 years old and has been in poor health for years, suffering from an affection of the throat. Three years ago the Congressional Committee which investigated the "Money Trust" desired him as a witness and over the protests of his physicians, an attempt was made to examine him at his Southern home at Jekyll Island, Ga., where he was located after weeks of search by subpoena servers. The questioning was abandoned when he was seized with laryngeal spasms and after his physicians protested that the ordeal might cause his death. Mr. Rockefeller lives at Tarrytown, N. Y.

Lewis Cass Lodge is one of the (Continued on page 7)

AARON CASE IS BEFORE THE COURT

Douglas City Councilman on Trial for Importing Liquor Into the State; Scarborough Murder Trial Next on Calendar.

TOMBSTONE, Dec. 1.—The attention of the superior court was taken up today in the trial of the case of the state vs. Bert Aaron charged with the introduction of liquor into the state. Aaron was caught by Deputy Sheriff Percy Bowden and Constable Sam Hayhurst at Silver Creek, east of Douglas, as he was driving a machine from Rodeo to Douglas in which were several cases of whiskey. A man named Brown was with him at the time. Brown entered a plea of guilty and is already serving time for the offense.

It took nearly all of the forenoon to secure the jury and the taking of testimony was started after the noon recess. Attorney R. N. French, of Douglas, appeared for the defense and the County Attorney and assistant for the prosecution, Percy Bowden and Sam Hayhurst were the first witnesses called and they related the story of the holding up of the machine and what transpired at that time. They were followed by Brown who was with Aaron, he testified that Aaron was with him in Rodeo and helped to load the liquor and was aware that they were going to take it to Douglas and that he was hired for that purpose.

The defense endeavored to prove that it was an interstate shipment and that the officers had no right to interfere with it. This was the main contention that was made in their petition for removal to the federal court and was attempted to be introduced for the purpose of perfecting their appeal which will be made, in the event that a conviction is secured. Aaron took the stand and contradicted the statement made by Brown, that he knew anything about the contents of the car or that he had helped to load the stuff in the car and was very innocent of what had gone on while in Rodeo.

Several jurymen were excused upon their examination as they had fixed opinions in regard to the liquor question that would not permit them to sit on the jury. The testimony was concluded this evening and the case will be submitted to the jury at noon tomorrow.

The Scarborough case will be called after the noon recess and the work of starting the jury will be commenced. It is expected that it will take considerable time to secure the jury to try this case as there has been considerable prejudice aroused in connection with it and a number of the jurors are from the Warren district who are more or less acquainted with the facts of the case or were acquainted with John Clinton who was killed. A special venire of eight jurors was returned this morning and they were all from the Warren District among them being John Dukes, Richard Rundle, W. A. Graves, W. H. Whitfield, E. L. Wilson, E. W. Ewing.

It is expected that it will take all the balance of the week in the trial of the case, if it is concluded by that time. The work of securing the jury (Continued on Page 5)

AGUA PRIETA AGAIN SCENE OF POSSIBLE WARFARE

Commander of Inadequate Carranza Garrison Moves His Troops Into Trenches Preparatory to Threatened Attack.

REBELS NOW SUPPOSED TO BE AT FRONTERAS

Obregon Receives Permission to Send Five Thousand Troops From Nogales to the Garrison Near Douglas; Due Today

DOUGLAS, Dec. 1.—Colonel Deto Campbell began the task of stationing his inadequate garrison in the net work of Agua Prieta trenches for a defense against the threatened attack on the town by Villa forces under General Rodriguez, the advance guard of which is reported to have occupied Fronteras, twenty-two miles south.

Major General Finston devoted his attention to the study of the military situation. It is said his stay in Douglas is indefinite. It will be governed by happenings in Agua Prieta or other points in Sonora.

Obregon confirmed the fact that General Obregon received permission to send 5,000 troops through the United States from Nogales to reinforce Agua Prieta. It is expected the first detachment of two thousand will reach Douglas late tonight.

Carranza troops will use a part of the equipment which the United States troops transported from Douglas to Nogales, used recently. Whether they arrive in time to aid in repelling the threatened Rodriguez attack proved an interesting question with Carranza officials and also with United States military authorities and residents of Douglas.

Panama stated the movements of the plucky Rodriguez forces would determine whether the provisional brigade of United States troops, under General Bell and now at Nogales, would remain there, be brought to Agua Prieta or sent to its station at El Paso.

It is reported that a number of Carranza consolidated employees, notwithstanding the warning of Obregon, left Nogales for Carranza. A few are reported to have attempted to leave Carranza. The copper company officials said they were unharmed in their determination to await developments before resuming operations.

MAY REORGANIZE GOVERNMENT
EL PASO, Dec. 1.—It is understood that a reorganization of the Villa government and the election of a new president will be considered at a meeting now at Juarez of the "Sovereign Convention" of Villa government.

The announcement was made by Hipolito Villa, brother of the northern chieftain, and financial agent of the Villa organization at Juarez. He stated delegates representing Emiliano Zapata would be present and that the eight thousand troops now around Chihuahua City would be transferred to Juarez when the convention meets.

Luis Chazarro, president of the Aguila Calientes convention held a year ago, which is said to have caused the Villa-Zapata split, called the convention. The Villa-Zapata chieftains have been requested to send delegates for each thousand men under their command.

Colonel Villa said the delegates, with their military escorts, were enroute to Chihuahua City preparatory to the trip to Juarez.

DENY EXPLOSION PLOT
WILMINGTON, Dec. 1.—The cause of the explosion in the Du Pont black powder plant is still a mystery. After a day of investigating, officials denied the disaster was the work of an outside agency. Thirty are dead, and one is missing. Relatives identified eleven by clothing shreds.

Officials in a statement said: "There is no ground to suspect the explosion was the result of anything but an accident. The whole thing is shrouded in mystery. Unfortunately those who might now lay its cause are dead. Many rumors are current. These are groundless, so far as our information goes."

The delayed that warnings were posted of a planned explosion or that an electric wire was discovered leading from the opposite side of Brandywine Creek to the plant.